

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA  
Western Division

**U.S.A. vs. Brittany N. Lee**

**Docket No. 5:14-MJ-1013-1**

**Petition for Action on Probation**

COMES NOW Debbie W. Starling, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Brittany N. Lee, who, upon an earlier plea of guilty to Driving While Impaired, Level 5, in violation of 18 U.S.C. §13, assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge on December 10, 2014, to a 12-month term of probation under the conditions adopted by the court.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On December 28, 2014, the defendant was charged in Harnett County, North Carolina, with Driving While License Revoked (Not Impaired Revocation); Operate Vehicle No Insurance; Expired Registration Card/Tag; Fictitious/Altered Title/Registration Card/Tag; and Give/Lend/Borrow License Plate. The defendant has been untruthful with the probation officer regarding her address. Additionally, she has traveled outside the Eastern District of North Carolina, and recently admitted that she resided in York, South Carolina, for at least two months without notifying the probation officer as required. The defendant has failed to perform community service as required. There has been no money paid toward the monetary obligation in this case although it does not appear to be willful. The defendant underwent her DWI assessment but has not begun the recommended course of treatment at this time. The defendant has a significant history of substance abuse, specifically prescription drug abuse, and has undergone inpatient treatment on at least two occasions in the past year. She also suffers from anxiety and reportedly sees a counselor and takes medication for this issue. In an effort to more closely monitor the defendant and provide additional services, as needed, as well as provide a punitive sanction for her non-compliance, it is respectfully recommended that her conditions of supervision be modified to include 30 days of home confinement supported by electronic monitoring, alcohol abstinence, drug aftercare, and mental health treatment as directed by the probation officer. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
3. The defendant shall abide by all conditions and terms of the home incarceration program for a period not to exceed 30 consecutive days. The defendant shall be restricted to residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the probation officer. The defendant shall submit to the following Location

Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

4. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Robert L. Thornton

Robert L. Thornton

Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Debbie W. Starling

Debbie W. Starling

U.S. Probation Officer

310 Dick Street

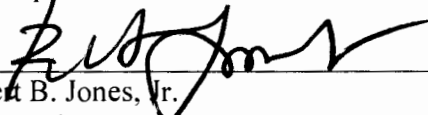
Fayetteville, NC 28301-5730

Phone: 910-354-2536

Executed On: August 5, 2015

#### ORDER OF THE COURT

Considered and ordered this 5 day of August, 2015 and ordered filed and made a part of the records in the above case.

  
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Robert B. Jones, Jr.  
U.S. Magistrate Judge